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David L. Armstrong
Chairman

James W. Gardner
Vice Chairman

Charles R. Borders
Commissioner

September 17, 2014

PARTIES OF RECORD

Re: CASE NO. 2014-00254
PROPOSED ADJUSTMENT OF THE WHOLESALE WATER SERVICE RATES
OF FRANKFORT ELECTRIC AND WATER PLANT BOARD

Attached is a copy of the electronic mail correspondence which is being filed in the record of the above-referenced case. If you have any comments you would like to make regarding the contents of the correspondence, please do so within five days of receipt of this letter. If you have any questions, please contact Ann Ramser, Staff Attorney, at 502/782-2585.

Sincerely,

A handwritten signature in blue ink that reads "Jeff Derouen" followed by a stylized "TD" monogram.

Jeff Derouen
Executive Director

AR/ch

Attachments

Ramser, Ann (PSC)

From: Ramser, Ann (PSC)
Sent: Wednesday, September 17, 2014 1:36 PM
To: 'Price, Hance'; jnhughes@fewpb.net; Dutton, Gregory (KYOAG); Hans, Jennifer (KYOAG); raymond.edelman@gmail.com; dprather@iglou.com
Cc: Green, Jason L (PSC); Lawless, Scott (PSC); Frost, Mark C (PSC); Wakim, George W (PSC)
Subject: RE: Case No 2014-254 Frankfort Plant Board

Mr. Price, Good afternoon.

This email chain will be placed in the record.

I do recall you mentioning statutory concerns during the informal conference. As indicated in my email of September 11, 2014, the Commission has until April 24, 2015, to issue an Order. The Commission will have sufficient time for a hearing to be held after the informal conference of December 15, 2014, and issue an order by April 24, 2015.

During the informal conference, discussion of revised dates occurred and I do not recall you specifically objecting to any of the revised dates. Mr. Hughes specifically participated in the revision of the dates, requesting that the Frankfort Plant Board have until December 8, 2014 rather than December 2, 2014 to file rebuttal testimony.

You do not dispute that the Frankfort Plant Board agreed to review its September 2, 2014 responses and supplement those responses by September 19, 2014. Without revision of the procedural schedule, Frankfort Plant Board's supplemental responses would be filed two days **after** the date supplemental requests for information were to be issued.

An Order has been drafted revising the procedural schedule as discussed by all parties during the informal conference. That Order should be issued today. If for some reason the Order is not issued today, all parties may proceed with the understanding that the procedural schedule has been revised and the next request for information is to be issued no later than October 1, 2014.

Ann Ramser
Staff Attorney
Office of General Counsel
Public Service Commission
211 Sower Boulevard
Frankfort, KY 40601
(502) 782-2585

From: Price, Hance [<mailto:HPrice@fewpb.com>]
Sent: Tuesday, September 16, 2014 9:46 AM
To: Ramser, Ann (PSC); jnhughes@fewpb.net; Dutton, Gregory (KYOAG); Hans, Jennifer (KYOAG); raymond.edelman@gmail.com; dprather@iglou.com
Cc: Green, Jason L (PSC); Lawless, Scott (PSC); Frost, Mark C (PSC); Wakim, George W (PSC)
Subject: RE: Case No 2014-254 Frankfort Plant Board

Ms. Ramser, how are you?

I reviewed the memo regarding last week's IC in the above referenced matter.

During the conference, FPB noted that it is concerned with extending the procedural schedule. FPB's position is that extensions are not practical given the statutory deadline and should not be granted except for good cause. FPB does not believe that merely being unsatisfied with an answer to a particular data request is good cause when there exists time to supplement a response. In fact, in past cases, FPB has answered data requests and supplied information at the hearing itself.

FPB would respectfully request that its position and the material you prepared that is highlighted below be noted in the memo and placed in the record.

I appreciate your assistance. If you have any questions, please contact me at 352-4541.

Hance

From: Ramser, Ann (PSC) [<mailto:Ann.Ramser@ky.gov>]

Sent: Thursday, September 11, 2014 2:40 PM

To: Price, Hance; John N. Hughes (jnhughes@fewpb.net); Dutton, Gregory (KYOAG); Hans, Jennifer (KYOAG); raymond.edelman@gmail.com; dprather@iglou.com

Cc: Green, Jason L (PSC); Lawless, Scott (PSC); Frost, Mark C (PSC); Wakim, George W (PSC)

Subject: Case No 2014-254 Frankfort Plant Board

During the IC this morning, a question was raised regarding the statutory dates.

On June 25, 2014, Frankfort Plant Board filed an application to increase rates effective July 25, 2014. KRS 278.190(2) allows the Commission to suspend proposed rates for up to 5 months before the rates would otherwise go into effect. In this case the rates are suspended to December 24, 2014. If a decision has not been issued by 12/24/14, and Frankfort Plant Board notifies the Commission in writing of its intent to implement the rates after 12/24/14, Frankfort Plant Board can do so subject to refunds.

The Commission has ten months from the date the application was accepted for filing to issue a decision. KRS 278.190(3). In this case, the statutory deadline is 4/24/15.

Let me know if you have any questions.

Ann Ramser
Staff Attorney
Office of General Counsel
Public Service Commission
211 Sower Boulevard
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(502) 782-2585